

FEB 03 2011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Applicant: Kenneth L. Weiss et al.

Serial No.: 10/598,764

Filed: September 11, 2006 (OF RECORD: 11/21/2006)

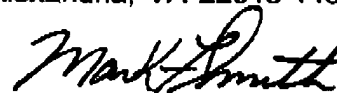
Docket: WKI-002PAT

Title: AUTOMATED NEUROAXIS (BRAIN AND SPINE) IMAGING WITH
INTERACTIVE SCAN PRESCRIPTIONS, ANALYSIS,
RECONSTRUCTIONS, LABELING, SURFACE LOCALIZATION AND
GUIDED INTERVENTIONCommissioner for Patents
Mail Stop: PETITION
P.O. Box 1450
Alexandria, VA 22313-1450PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM FOR THE BENEFIT
OF A PRIOR-FILED INTERNATIONAL APPLICATION UNDER 37 CFR 1.78(3)

The Applicants for the above-identified patent application ("Application") hereby petitions to accept an unintentionally delayed claim under 35 U.S.C. 120, 121, or 365(C) for the benefit of a prior-filed application. The Applicants have attached hereto an Amendment which amends the specification of the Application to identify prior-filed patent applications, and their relationship, which the Applicants claim benefit, and here requests that such Amendment be accepted.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to: the United States patent and Trademark Office, Mail Stop: Petition, Alexandria, VA 22313-1450, on February 3, 2011.



Mark F. Smith

February 3, 2011

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FEB 03 2011

The Amendment amends paragraph [0001] of the subject Specification as follows:

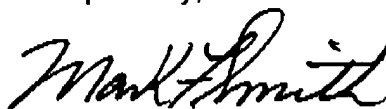
The present application is a continuation-in-part of and claims the benefit of PCT Patent Application, International Application No. US 2005/008311, having International filing date of [filed on] 11 March 2005 and designating the United States, which in turn [claimed] claims [the] benefit of [the] U.S. [provisional patent application with] Provisional Patent Application, having Serial No. 60/552,332, filed 11 March 2004, the disclosures of which are hereby incorporated by reference in their entirety.

The Applicant has previously submitted Petition Under 37 C.R.R. 1.182 To Treat Application Under 35 U.S.C. 111, and said Petition is pending and the Applicants request that this Petition together with the subject Petition be reviewed concurrently.

The Applicants submit that the entire delay, from the time of filing of the subject application to the date of this Petition, for identifying the prior-filed application by application number and filing date, and the relationship thereto, was unintentional.

Attached hereto is an Amendment to amend the subject specification as described above.

Respectfully,



February 3, 2011

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